



Department of Planning, Building and Code Enforcement  
801 North First Street, Room 400  
San José, California 95110-1795

Hearing Date/Agenda Number:  
P.C. 5/20/02      Item: P.C. – 3.k.

File Number:  
GP02-05-02

Council District and SNI Area:  
5 – N/A

Major Thoroughfares Map Number:  
69

Assessor's Parcel Number(s):  
612-69-038

Project Manager: Deanna Chow

## GENERAL PLAN REPORT

### 2002 Spring Hearing

#### PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Very Low Density Residential (2.0 DU/AC) to Low Density Residential (5.0 DU/AC).

**LOCATION:** South side of Story Lane at the terminus of Schramm Way

**ACREAGE:** 0.8

#### APPLICANT/OWNER:

Terry Szewczyk/ Mike Miroyan

#### GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Very Low Density Residential (2 DU/AC)

Proposed Designation: Low Density Residential (5 DU/AC)

**EXISTING ZONING DISTRICT(S):** A - Agriculture

#### SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Single-Family Residential – Very Low Density Residential (2 DU/AC) and Urban Hillside (0.2 DU/AC)

South: Single-Family Residential – Very Low Density Residential (2 DU/AC) and Urban Hillside (0.2 DU/AC)

East: Single-Family Residential – Very Low Density Residential (2 DU/AC)

West: Single-Family Residential – Very Low Density Residential (2 DU/AC) and Urban Hillside (0.2 DU/AC)

#### ENVIRONMENTAL REVIEW STATUS:

Negative Declaration adopted on May 13, 2002.

#### PLANNING STAFF RECOMMENDATION:

No change to the Land Use/Transportation Diagram.

Approved by:

Date:

#### PLANNING COMMISSION RECOMMENDATION:

#### CITY COUNCIL ACTION:

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**CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:**

Department of Transportation – A long-term traffic impact analysis indicated that the proposed land use change will not cause a significant long-term traffic impact.

Department of Public Works – The site is located in Flood Zone D, is within a Geological Hazard Zone, and has inadequate sanitary and storm capacity. The site is not located in a State Landslide Zone, State Liquefaction Zone or have major access constraints. Also, the Department of Public Works has indicated that a change in the General Plan land use designation would result in additional dwelling units that do not have traffic allocation under the Evergreen Area Development Policy. A traffic report would be required for the additional units.

Department of Parks, Recreation and Neighborhood Services – Because the amendments propose to allow an increase in residential density, PRNS will likely collect park fees to assist with future park development in the neighborhood.

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**GENERAL CORRESPONDENCE:**

Many neighbors of the subject site have expressed opposition of the increase in density, citing traffic on Clayton Road, visibility and property value reductions as issues. Few have indicated that 2 dwelling units on the site would be more appropriate even if the lots are smaller than 0.5 acres.

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**ANALYSIS AND RECOMMENDATIONS:****PROJECT DESCRIPTION**

This is a privately-initiated amendment to change the Land Use/Transportation Diagram designation from Very Low Density Residential (2.0 DU/AC) to Low Density Residential (5.0 DU/AC) on a 0.8-acre site located on the south side of Story Lane at the terminus of Schramm Way. The applicant is requesting the land use change to facilitate the development of 3 single-family residences. Planned Development Zoning (PDC02-020) and Planned Development Permit (PD02-022) applications are on file for review.

**BACKGROUND****Site and Surrounding Uses**

A single-family residence currently exists on the 0.8-acre subject site which is located in the east foothills of San Jose. An easement located on the west side of the site provides access to three single family residences located to the south of the site. A single-family residence and orchard remnants are located to the west and a newer subdivision of large, single-family residences are located to the north and east. The existing Land Use/Transportation Diagram designation of the site and the parcels immediately to the east, south and west is Very Low Density Residential which permits 2 dwelling units per acre. The land use designation for the area to the north and in the general vicinity is Urban Hillside which permits 1 dwelling unit per 5 acres. According to the *San Jose 2020 General Plan*, the Very Low Density and Urban Hillside categories are planned in areas based upon their topographical and/or geologic considerations. Although the subject site is relatively flat, it is located in a geologically sensitive area.



Subject site – looking southeast



Subject site – looking southwest



Subject site – looking west to adjacent parcel



Looking north – new home on the corner of Story Lane and Schramm Way

## Land Use Compatibility/Policy Consistency

### Local Policy Issues

The Residential Land Use goals and policies are intended to provide guidelines for the physical development of residential neighborhoods. Residential Land Use Policy #9 indicates that when changes in residential densities are proposed, the City should consider such factors as neighborhood character and identity, compatibility of land uses and impacts on livability, services and facilities, and traffic levels. The change in land use designation from Very Low Density (2.0 DU/AC) to Low Density Residential (5.0 DU/AC) would be out of scale and character with the surrounding neighborhood, which is typified by an average lot size of 0.5 acre consistent with the existing Very Low Density Residential (2 DU/AC) designation.

Thus, the change in land use designation on the site would be inconsistent with Urban Conservation Policy #2 which states that the City should encourage new development to enhance the desirable qualities of the community and existing neighborhood. The proposed change would create an island of more dense residential units in an area that has been identified for larger lot, lower density units due to its geologic sensitivity and location near the hillside. While the City supports increasing the supply of housing, such density increases need to be in appropriate locations. Although the applicant is proposing 3 homes total, the

change in land use designation could potentially add 3 units in addition to the existing residence on the 0.8-acre site. The existing Very Low Density Residential (2.0 DU/AC) land use designation is intended to serve as a transition between Urban Hillside (0.2 DU/AC) and the Low Density (5.0 DU/AC) and Very Low Density (8.0 DU/AC) Residential land use categories. Lands north of Clayton Road are predominantly Very Low Density Residential (2.0 DU/AC) and Urban Hillside (0.2 DU/AC) to protect the hillsides and minimize impacts to residents from potential hazards. The nearest Low Density Residential (5.0 DU/AC) designation is on an isolated parcel west of the site, fronting Clayton Road between Hickerson Drive and Kaylene Drive. A change in land use designation would create a discontinuous land use in the area.

### Citywide Policy Issue

The proposed land use change could have greater implications on the surrounding area. The adjacent land located to the west is designated Very Low Density Residential (2.0 DU/AC) and is typified by several older single-family residences on large lots. The proposed increase in density on the subject site could trigger land use changes on the adjacent large lot, single-family parcels, creating smaller sized lots in an area that should remain designated Very Low Density or Urban Hillside due to constraints such as geological sensitivity and traffic capacity. Hillside areas are designated for lower densities not only to preserve their value as a natural and visual resource, but to also protect residents from potential hazards such as seismic and landslide activity.

### **Environmental Issues**

The site is subject to the Evergreen Area Development Policy, and the Department of Public Works has indicated that the proposed additional units do not have traffic allocation. Therefore, the additional units do not conform to the policy. Additionally, the subject site is located within a Geologic Hazard Zone. A preliminary geology report has indicated that the site is likely to be subjected to severe seismic shaking during the economic lifetime of the development. The report also indicates that the potential for landslides or secondary hazards to adversely affect the property is low. Prior to development, a geotechnical study would be required to demonstrate that all potential problems can be mitigated to a non-significant level.

### **PUBLIC OUTREACH**

The property owners within the amendment site boundaries and/or property owners within a 1000-foot radius of the amendment site were sent a newsletter regarding the three community meetings that were held on April 10<sup>th</sup>, 16<sup>th</sup>, and 18<sup>th</sup> 2002. They also received a public hearing notice regarding the public hearings to be held on the subject amendment before the Planning Commission in May and City Council in June. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule.

Staff has received several letters, including a petition signed by approximately 95 neighborhood residents, opposing the project. Concerns included change in character, decreased property values and traffic.

### **RECOMMENDATION**

Planning staff recommends no change to the Land Use/Transportation Diagram.

### **Attachments**

PBCE002/GP\_Team/2002 Annual Review/Staff Reports/Spring Review/GP02-05-02.doc